

Minutes of the
State Board of Acupuncture
November 15, 2000

The State Board of Acupuncture meeting was called to order by Emi Miller, Chair, at 9:50 a.m., Wednesday, November 15, 2000 at the Bureau of Occupational Licenses, Owyhee Plaza, 1109 Main Street, Suite 220, Boise, Idaho.

Roll Call: Emi Miller, Chair
 Therese Hahn, Board Member
 Maggie Blair, Board Member
 Jack Long, Board Member

Bureau Staff: Thomas E. Limbaugh, Bureau Chief
 Roger Hales, Administrative Attorney
 John Kersey, Chief Investigator
 Budd Hetrick, Deputy Chief
 Dee Ann Randall, Administrative Secretary

Absent/Excused: Rand Peebles, Board Member

Minutes

Moved by Tess Hahn, seconded by Maggie Blair and carried that the minutes of the August 18, 2000 board meeting be approved.

Wall Certificates

Mr. Hetrick discussed the printing of additional certified acupuncturist wall certificates. Certificates originally printed have all been issued to certified acupuncturists and more are needed. Moved by Maggie Blair, seconded by Tess Hahn and carried that, based on the bids received, the Board authorizes the Bureau to order additional certificates through the Department of Correctional Industries and to have certificates printed with the state seal embossed on the certificate.

Financial Report

Mr. Limbaugh reviewed the financial report with the Board; their current fund balance is \$36,369. Mr. Limbaugh informed the Board that the Bureau is in the process of initiating a new software program for the licensing system.

Mr. Limbaugh informed the Board that \$500.00 has been paid for membership in the Federation of Acupuncture and Oriental Medicine Regulatory Agencies. Membership dues are payable for a fiscal year running from January 1 through December 31; therefore, only one-half year dues were necessary to join.

Election of Officers

Emi Miller called for nominations for the election of Chair of the Board. Tess Hahn nominated Maggie Blair for Chair of the Board; Emi Miller seconded the nomination. Moved by Jack Long, seconded by Tess Hahn and carried that Maggie Blair be elected Chair of the Board.

Emi Miller expressed what an honor it has been to sit as the first chair of the board, and affirmed her commitment to the board and their work.

Dr. Long commended Ms. Miller for her work as chair.

Maggie Blair chaired the remainder of the meeting.

Scott Nelson, Certified Acupuncturist

Certified Acupuncturist Scott Nelson met with the Board on behalf of himself and Milton Nelson, certified acupuncturist, regarding their petition to be granted licensure rather than certification.

Dr. Nelson presented additional information to the Board for himself and Milton Nelson, indicating that they have completed the requirements to be a candidate to take the NCCAOM examination.

Tess Hahn contacted NCCAOM and talked to Darrin Phil to clarify the requirements to be a candidate to take the NCCAOM examination. Mr. Phil stated that they were very relieved that this route of getting to sit for the examination would no longer exist as of January 1, 2001. NCCAOM requires a notarized copy of the clean needle technique certificate. Also, they are specifically interested in 500 acupuncture visits per year on at least 100 different patients, for a minimum of four years prior to application. The treatments should be 70% for general health care. This is to preclude it being for NADA, addiction control, etc. They need affidavits and twenty letters from patients and the letters should each detail the use of acupuncture for that patient's condition and the time period of those treatments and would include the name of the patient, current address and phone number. The letter of reference would be from two health care providers who can personally attest to the date, the volume, the scope and the type of practice that the applicant has been engaged. The letters of character reference would be two from respective members of the community.

Complaint Report

John Kersey informed the Board that he had no complaints to report to the Board at this time.

Massage Therapy

The Board discussed communication from Gayla Nickel, Idaho Chapter of the American Massage Therapy Association. Ms. Nickel stated that they are attempting to obtain state licensure for massage therapy, which will be presented either this year or next year. The association is asking the Board if they would consider allowing massage therapists to be a part of the acupuncture law and, if so, would they be allowed representation from their profession on the board.

Moved by Tess Hahn, seconded by Jack Long and carried that Maggie Blair prepare a draft letter responding to the Gayla Nickel, telling her that the Board would consider exploring the possibility of a combined board with massage therapists. The letter will note that the Board would like the opportunity to meet with the organization members who are preparing the law; that given the timeframe, it may be difficult to finalize a bill for this upcoming legislative session; that the Board is eager to be of help however they can; and that their representative could contact Rand Peebles regarding the preparation of the bill. Maggie Blair will draft the letter and review with Rand Peebles, forward to the Bureau for mailing.

Moved by Emi Miller, seconded by Tess Hahn and carried that the Board send a letter to the Idaho Acupuncture Association requesting that they choose a representative as a liaison between their association and the Massage Therapy Association to help draft legislation that would provide for the licensure of massage therapists under the acupuncture law.

Continued NCCAOM Certification for Licensure

Tess Hahn has received calls from acupuncturists in her area of the state who are asking whether they need to keep their NCCAOM certification permanently, or

whether it was enough to obtain certification for licensure and then let it lapse. The issue in question is continuing education.

Continuing education is not currently required in the acupuncture law. Roger Hales stated that according to the law, continued NCCAOM certification is not necessary to maintain a current acupuncture license.

The Board discussed adding continuing education requirement to the law and rules. It was the general consensus of the Board to wait before taking action on this issue.

Executive Session

Moved by Emi Miller, seconded by Jack Long and carried the Board go into executive session to discuss potential litigation. The time being 11:40 a.m.

Moved by Tess Hahn, seconded by Jack Long and carried the Board comes out of executive session at 12:05 p.m.

Moved by Tess Hahn, seconded by Emi Miller and carried that Roger Hales draft a letter to applicant file #ACU500MR's attorney clarifying the law regarding certification as an acupuncturist, allow ten days to respond and submit documentation showing compliance with the requirements for certification. Upon receipt, this documentation will be forwarded to the board members for review and discussion via teleconference call on December 13, 2000.

Idaho Acupuncture Association

The Board discussed the \$3,000 to be given to the Idaho Acupuncture Association for continuing education and sending them a letter advising them of the status of the money. Mr. Limbaugh advised that this request was presented to the Division of Financial Management as a supplemental for this budget year and also to be in next year's budget. The request was refused for this budget year because it was not considered an emergency. This item has been requested as an enhancement for next budget year and will be submitted to the legislature. If approved, the money will be available July 1, 2001.

The Board requested the Bureau draft a letter regarding this matter and send to Maggie Blair for review prior to mailing.

Maggie Blair Report Federation of Acupuncture and Oriental Medicine Regulatory Agencies

Currently there are fifteen member states now, including Idaho. There is also a website now. NCCAOM discussed acupuncture equivalency of foreign education. NCCAOM, California and Massachusetts have a list of schools from around the world that they have sent representatives to and verified their schools.

Maggie Blair requested that Dee Ann Randall compile a letter to NCCAOM stating areas that they may better serve state agencies. Send draft letter to Maggie Blair.

The next FAOMRA meeting will be held in Florida on May 3 & 4, 2001.

Idaho Jurisprudence Examination

The Board discussed giving an Idaho jurisprudence open book examination to all applicants. Tess Hahn and Jack Long will each prepare ten questions regarding the acupuncture law and rules. These questions will be forwarded to the bureau and mailed to all board members, including Roger Hales, for review at the next board meeting.

Calendar Year 2001 Board Meeting Dates

The Board established the following board meeting dates for 2001:

March 9, 2001

July 13, 2001

November 12, 2001

Executive Session

Moved by Emi Miller seconded by Tess Hahn and carried that the Board go into executive session to review applications. The time being 3:10 p.m.

Moved by Tess Hahn, seconded by Emi Miller and carried that the Board comes out of executive session at 5:05 p.m.

The Board approved three (3) applications for licensure and seven (7) applications were deferred.

Upon approval of the Board, the following licenses were issued:

Licensed Acupuncturists

Scott Nelson ACU-101

Geert-Jan Stibbe ACU-109

Kara K. Maxwell ACU-110

Joan Scheingraber ACU-111

Moved by Tess Hahn, seconded by Emi Miller and carried meeting adjourned at 5:10 p.m.

Maggie Blair, Chair

Therese Hahn

Rand Peebles

Jack Long

Emi Miller

Thomas E. Limbaugh, Chief
Bureau of Occupational Licenses